

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:20-CR-00435-FDW**

**UNITED STATES OF AMERICA**

**v.**

**TARIK FREITEKH,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court on Defendant’s Motion for Release from Custody Pending Appeal and Memorandum in Support, (Doc. Nos. 205, 206), pursuant to 18 U.S.C. § 3143(b)(1) asserting Defendant “would not constitute a danger to the safety of any other person or the community upon release” and “Defendant’s appeal raises a substantial question of law or fact likely to result in a reversal of the conviction or an order for a new trial.” (Doc. No. 205, p. 2). Specifically, Defendant argues his offenses “were the product of unique circumstances when his family faced ruin in the pandemic” making him unlikely to reoffend. (Doc. No. 206, p. 7). The United States, by and through its attorneys, responded to the instant motion opposing the release of Defendant pending appeal, (Doc. No. 209), noting this Court’s finding that Defendant “was a flight risk, and a danger to the community” and the Court’s decision to detain Defendant pending sentencing. (Doc. No. 209, p. 7). Defendant replied, (Doc. No. 214), raising the issue of Defendant’s physical health as a factor mitigating Defendant’s risk to the community.

Because the issue of Defendant’s health was first raised in Defendant’s Reply in Support of Defendant’s Motion for Release Pending Appeal, the Court now orders the United States to file a response addressing and/or asserting any applicable arguments directed to Defendant’s newly raised issue of deteriorating health. **Such response shall be filed no later than October 3, 2023.**

IT IS SO ORDERED.

Signed: September 12, 2023

  
Frank D. Whitney  
United States District Judge

